

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHASOM BROWN, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 20-cv-03664-YGR (SVK)

**ORDER ON ADMINISTRATIVE
MOTIONS FOR LEAVE TO FILE
UNDER SEAL**

Re: Dkt. Nos. 634, 653, 677

Before the Court are administrative motions for leave to file under seal materials associated with discovery disputes in this case. Dkt. 634, 653, 677; *see also* Dkt. 684, 690 (declarations in support of sealing motions).

Courts recognize a “general right to inspect and copy public records and documents, including judicial records and documents.” *Kamakana v. City & Cnty. Of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Communs., Inc.*, 435 U.S. 589, 597 & n.7 (1978)). A request to seal court records therefore starts with a “strong presumption in favor of access.” *Kamakana*, 447 F.3d at 1178 (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). The standard for overcoming the presumption of public access to court records depends on the purpose for which the records are filed with the court. A party seeking to seal court records relating to motions that are “more than tangentially related to the underlying cause of action” must demonstrate “compelling reasons” that support secrecy. *Ctr. For Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1099 (9th Cir. 2016). For records attached to motions that re “not related, or only tangentially related, to the merits of the case,” the lower “good cause” standard of Rule 26(c) applies. *Id.*; *see also Kamakana*, 447 F.3d at 1179. A party moving to seal court records must also comply with the procedures established by Civil Local Rule 79-5.

Here, the “good cause” standard applies because the information the parties seek to seal was submitted to the Court in connection with discovery-related motions, rather than a motion that concerns the merits of the case. The Court may reach different conclusions regarding sealing these documents under different standards or in a different context. Having considered the motions to seal, supporting declarations, and the pleadings on file, and good cause appearing, the Court **ORDERS** as follows:

1. Dkt. 634; see also Dkt. 684

Document Sought to be Sealed	Court’s Ruling on Motion to Seal	Reason(s) for Court’s Ruling
Plaintiffs’ Renewed Request to Depose Google CEO Sundar Pichai	GRANTED as to the portions at: Pages: 2:22-27, 3:1, 3:3, 3:7-9	The information requested to be sealed contains Google’s confidential and proprietary information regarding sensitive features of Google’s internal systems and operations, including Google’s internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google’s competitors. Such confidential and proprietary information reveals Google’s internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google’s competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google’s internal practices relating to competing products.
Exhibit A to Baeza Declaration (GOOG-CABR-05468324)	GRANTED as to the portions at: Seal Entirely	The information requested to be sealed contains Google’s confidential and proprietary information regarding sensitive features of Google’s internal systems and operations, including various types of Google’s internal projects, identifiers, and their proprietary functionalities, that Google maintains as

		confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit E to Baeza Declaration (Deposition of Chris Palmer)	GRANTED as to the portions at: Pages: 113:13-14, 187:17, 188:2, 188:7, 188:17, 188:23, 189:2, 189:6, 189:9, 189:14, 189:18-21	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects, identifiers, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit G to Baeza Declaration (GOOG-BRWN-00391231)	GRANTED as to the portions at: Pages: -231, -232	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal

		systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit H to Baeza Declaration (GOOG-CABR-04971903)	GRANTED as to the portions at: Page: -903	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit L to Baeza Declaration (GOOG-CABR-04991831)	GRANTED as to the portions at:	The information requested to be sealed contains Google's confidential and

	Page: -831	proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit M to Baeza Declaration (GOOG-BRWN-00140297)	GRANTED as to the portions at: Pages: -311-313, -315-319, -323, -325, -327-329	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to

		compromise Google's internal practices relating to competing products.
Exhibit N to Baeza Declaration (GOOG-CABR-05126022)	GRANTED as to the portions at: Page -023	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit O to Baeza Declaration (GOOG-CABR-04675770)	GRANTED as to the portions at: Pages: -770-771	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of

		cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit P to Baeza Declaration (Deposition of Rory McClelland)	GRANTED as to the portions at: Pages: 118:2, 118:7, 118:12, 118:15-16, 118:23, 120:4-5, 120:11	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit Q to Baeza Declaration (Deposition of Abdelkarim Mardini)	GRANTED as to the portions at: Pages: 317:7, 317:14-15, 317:22-23, 318:1-2, 318:4, 318:15-319:8, 319:14, 371:7-10, 371:13-15, 371:22-23, 372:1-2, 373:14,18, 373:22-24	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their

		systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit R to Baeza Declaration (Deposition of Chetna Bindra)	GRANTED as to the portions at: Pages: 218:11-13	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit S to Baeza Declaration (GOOG-BRWN-00388293)	GRANTED as to the portions at: Page: -295	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal communication channels, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information

		could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit T to Baeza Declaration (Deposition of Lorraine Twohill)	GRANTED as to the portions at: Page: 120:6-12	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit V to Baeza Declaration (GOOG-CABR-00501220)	GRANTED as to the portions at: Pages: -221-222, -224-225	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies,

		system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit Y to Baeza Declaration (GOOG-CABR-05756489)	GRANTED as to the portions at: Pages: -491, -494, -499-501, -504-505, -507-512	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit Z to Baeza Declaration (GOOG-BRWN-00406065)	GRANTED as to the portions at: Pages: -065-069	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its

		business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Proposed Order	GRANTED as to the portions at: Page: 6:2, 6:4-5, 6:7-8, 6:11, 6:16, 6:18, 6:28	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.

2. Dkt. 653

Document Sought to be Sealed	Court's Ruling on Motion to Seal	Reason(s) for Court's Ruling
Google LLC's Response to Plaintiffs' Renewed Request	GRANTED as to the portions at:	The information requested to be sealed contains Google's

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	to Depose Google CEO Sundar Pichai (Dkt. 635)	Pages 3:15-16, 3:24, 4:2	confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
17 18 19 20 21 22 23 24 25 26 27 28	Exhibit 2 5/6/22 Twohill Depo Tr. Excerpts	GRANTED as to the portions at: Pages 7:11, 126:2-3, 126:7, 126:10-16, 127:6, 127:8	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects and proposals, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such

		confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit 3 2/18/22 McClelland Depo Tr. Excerpts	GRANTED as to the portions at: Pages 28:16-20, 29:3-11, 29:14-17, 30:5, 106:10-13, 107:3, 107:5-15, 107:18-19, 108:5-6, 113:4, 118:2, 118:7, 118:12, 118:15-16, 118:23, 119:12-14	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects and proposals, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Exhibit 5 11/19/21 Adhya Depo Tr. Excerpts	GRANTED as to the portions at: Pages 7:17	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including Google's internal project name, that

		Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its services. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
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3. Dkt. 677; see also Dkt. 690

Document Sought to be Sealed	Court's Ruling on Motion to Seal	Reason(s) for Court's Ruling
Plaintiffs' Reply In Support of Their Renewed Request to Depose Google CEO Sundar Pichai	GRANTED as to the portions at: Pages: 1:11, 1:15, 4:7-17, 5:10	The information requested to be sealed contains Google's confidential and proprietary information regarding sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its service. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.

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SO ORDERED.

Dated: September 26, 2022



SUSAN VAN KEULEN
United States Magistrate Judge